

REMARKS

No new matter has been added. The Applicant requests entry of the foregoing amendment prior to examination of the application on the merits.

**Claim Objections**

Claims 60 through 79 are objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. Although claims 60-79 have been withdrawn, appropriate correction has been made to correct the preamble of the claims in the event that the restriction requirement is removed and the withdrawn claims are rejoined.

**Restriction Requirement**

Applicants herein acknowledge the restriction requirement in the above-referenced application. Applicants hereby elect the claims of Group I, which in view of the amendment to claims 60-79 as depending from "method" claims (which are part of Group II), include claims 1-55 and 84 (drawn to injectable depot compositions). The election is made without traverse.

In response to the species election requirement, Applicants further elect the species drawn to the composition having Poly(D,L-lactide-co-glycolides) (PLGAs) as a polymer matrix, benzyl alcohol as the solvent, and human growth hormone as the beneficial agent. The claims encompassing the elected species include claims 1-20, 23-26, 28-48, 51-54, and 84.

**Please Note Information Disclosure Statements**

Applicants wish to draw the Examiner's attention to the Information Disclosure Statements filed with the Office on September 15, 2003, and August 9, 2006, and respectfully request that the documents or other information referenced therein be made of record in the present application and that an initialed copy of the PTO-1449 and PTO/SB/08A forms be returned to the undersigned attorney evidencing same.

Should any of the documents, or portions thereof, be unavailable to the Examiner for any reason, please contact the undersigned attorney, who will supply same immediately by facsimile or other suitable method of delivery.

An early Office Action on the merits is respectfully solicited.

Date: October 23, 2006

Respectfully submitted,



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ERC/nj:tp

Enclosures: Appendix A (clean copy of substitute specification)  
Appendix B (marked-up copy of substitute specification)

Document in ProLaw